DE MORTUIS.

Obseguies of the Late Vicar General Starrs.

Imposing and Interesting Ceremonies at the Cathedral.

SERMON BY BISHOP LOUGHLIN

The Musical Services --- Mozart's Grand Mass and the Gregorian Chant.

The Procession to the Tomb.

SCENES AND INCIDENTS.

With all the beautiful rites and ceremonies with which the Roman Catholic Church attends its departed chosen ones to the tomb; amid all the emblems of a lively faith, accompanied by the solemn strains and plaintive chants of choristers and clergy and the tears and sighs of serrowing thousands; surrounded by clouds from hely incense and followed by a mourning throng, all that was mortal of the late Vicar General Starrs was yesterday laid away to rest in the vault beneath St. Patrick's Caedral. From an early hour in the morning the Cathedral was surrounded by hundreds of those who had known the worthy Vicar in his lifetime; who had experienced his kindly care, had listene to his admonitions, had profited by his teachings and examples and had learned from many causes priest in him, and by many others who had only known of him and of his goodness from some of the thousands who knew him well and blessed him from their nearts. When at length the church though each was anxious to obtain a position from which a full view of the ceremonies could be obsined, there was no confusion, as all seemed to feel and appreciate that they were not only in the house of God, hut also in the presence of the dead.

THE DECORATIONS and drapings in the interior, although not profuse, were very appropriate. The massive columns which support the roof were covered with alternate strips of black and white crape, which hung from the capitals to the floor; the front of the organ loft and pulpit were covered with heavy black and fringed with white bullion; from finial to finial of the miniature spires behind the altar were festoons of rich, black crape, and the candelabra on the altar and also the gas fixtures in and near the sanctuary were covered with the same material. THE CATAFALQUE,

which stood in the main isle, near the sanctuary steps, was covered with a pall of heavy black velvet which fell to the floor and was fringed at top and bottom with silver bullion. From each of the four corners rose an upright, covered with pleatings of alternate black and white cloth, and from these uprights sprung double curved arms, converging under a small circular canopy, supporting verging under a shan critical category, approximate an egg-shaped globe and a finial cross. The converging arms were covered with puffings of black crape, the puffs held in position by silver oak leaves; the globe was ornamented with silver tengues pointed upwards, and the finial cross, covered with velvet, was adorned with a continuous ing of silver oak leaves and studded with silver nails. The platform of the catafalque formed an inclined plane on which rested the casket holding the remains of the honored dead, the head toward the sanctuary and so elevated that from deceased could be obtained. The body was robed were strewn bunches and bouquets of flowers, while all around it were flowers, sweet and rare, formed into crosses, anchors, harps, wreaths, crowns and columns.

The expression on the face of the deceased was quite natural, and he seemed to be meditatively sontemplating the immense congregation, which filled every nook and corner of the sacred edifice. THE CEREMONIES

commenced precisely at ten o'clock, by which time procession was formed in the sacristy and entered the sanctuary from the south side. The masters of ceremonies came first, followed by some twenty acolytes in black cassocks some twenty acolytes in black cassocks and white surplices; then followed the clergy of this and the adjoining dioceses, to the number of one hundred or more. They entered the sanctuary in double file, and after genuficating before the tabernacle filed to either side outside of the sanctuary rails into the pews and seats reserved for them. Among those present were Rev. Drs. Brann, McGynn, Duffy, Burtsell and McBweeney; Rev. Fathers McGean, McCarthy, Maione, Clowrey, Flynn, Canary, Donnelly, Mooney, McCready, Beyce, O'Rellly, McKenna, Farrell, Jr.; Barry, of Staten Island; Barry, of St. Columba's; Moriarity, Dealy, Daubriese, Duranquet, Larkin, Everett, Brady, of the Paulists; Very Rev. Dr. Origan, Administrator of the Diocese of Newark; Father Klileen, of Newark; Woods, of Westchester; McEvoy, Brennan, McGurer, Farrelly, of St. James'; Mc...ahon and others; Bishops Bacon, Lynch, McGinerny, Connelly, McParlam and O'Loughlin; Febresentatives of the Orders of Dominicans, Franciscans, Paduans and Carmelites. When all had been seated the Kev. Fathers McGean and Canary, as principal chanters, commenced the office for the dead, all the clergy joining in the chant; those on the right alternating with those on the left of the sanctuary in reciting every other verse. At the conclusion of this office for the dead the door at the right alternating with those on the brocession, composed of a large number of additional clergy, followed by those whe were to officiate in the mass—the Rev. Fathers Kearney and Farrelly, master of ceremonies and assistant; Rev. Fathers McNamee and Kane, respectively deacon and archdeacon of the mass; Rev. Fathers Quinn and Curran, deacons of honor; Rev. Father Preston, assistant priest, and finally, the Most Rev. Archbishop McCloskey, with mitre of pure white and wearing a chasule of black velvet, heavil surplices; then followed

pure white and wearing a chasable of black velvet, heavily embroidered with gold. On arriving at the middle of the altar, the Archbishop in the centre, sil knelt and

THE MASS

was commenced. At the same moment the en tire chorns opened with the "Kyrie," from Moxart's grand mass, a double fugue in D minor—a majestic composition and finely rendered. At the conclusion of this "Kyrie" Rev. Father Kane recited the Epistie, after which from the cheir came the thrilling tones of the "Dies Ira." During the singing of the "Dies Ira." During the singing of the "Dies Ira." During the singing of the "Gospel, at which all present rose to their feet and remained standing until the deacon, Pather McName, had concluded the chanting of the Gospel, at which all present rose to their feet and remained standing until the deacon, Pather McName, had concluded the chanting of the Gospel, when the candles were extinguished and all again were seated. The Archbishop, standing at the episcopal chair, read the collects and prayers, after which he appreached the altar, the choir meanwhile singing, in full chorus, the "Lachrymosa." At the offertory a beautiful baritone solo, "Domine Jesu Christi," was given by Mr. Sosat. The candles were relighted, and when the sweet, tender tones of the Archbishop commenced the preface, all rose to their feet and remained standing until the "Sanctus" was reached. All then kuelt, and the choir in thunder tenes, but as if none voice, gave out the "Sanctus" and "Hosanna in Excelsis," closing as suddenly as to commenced, as if the onward march of melous were arrested by the solemnity of "THE ELENATION.

As the venerable officiating prelate bended his knee, the gong in the sanctuary was struck by an acoiyte, and all within that sacred edifice bowed their heads. Even those who were not members of the Catholic faith seemed overcome by the impressiveness of the moment.

The scene at this time was peculiarly imposing. The sable drapings of the church; the hundreds of brilliant, lighted tapers; the rich vestments o

And I heard a voice from heaven saying "Thrice blessed are the dead who die in the Lord; from hence-orth now saith the spirit they may rest from their labors, or their works will follow them."

Alter referring is the strong expression of gried on the part of the strong expression of gried on the part of the part of the stable is the loss to those who appreciate the love-liness and beauty of a holy life. Under the industrial of the loss to those who appreciate the love-liness and beauty of a holy life. Under the industrial of the lower of the part of the life, and the lower other witues which entitle him to admiration and respect. But amid all the grief at such a loss there is consolation to be found—comfort comes in these words—'And I heard a vote from heaven saying.' Look towards the sanctiar?' I the lord to men; amoustance of thrist. How glerious is such a choice? When one of the worlt, to angels and to men; amoustance of thrist. How glerious is such a choice? When one of these is taken his loss is consolated to deduce of an ambassador of Christ, is heard in that votee from heaven saying. 'Thrice biossed are the dead whe die in the Lord.' Thrice biossed are the dead whe die in the Lord. On among men—are great indeed. They are high and holy, they are inspired by the Alnighty finned to die the power of reconciliation—of reconciling the sinner model to the properties of the body, to exercise the power of reconciliation—of reconciling the sinner model to the properties of the pro

ling, thrice blessed are the dead who die in the Lord, for henceforth, now saith the spirit, they may rest from their labors and their works will follow them."

THE LAST RITES.

The sermon was isstened to with rapt attention, and at its close the Archbishop and assisting clergy, who had during the sermon returned from the sacristy and taken their places in the sanctuary, approached the sanctuary rails and intoned the "labora," which the choir took up in response and sung with fine effect. The Archbishop then took a seat near the foot of the catafalque, surrounded by the assistant priest, deacons of honor, deacon of the mass and acolytes bearing censers, incense boats and vases of hely water. The subdeacon of the mass, bearing the episcopal cross, stood at the gate of the sanctuary, with an acolyte on either side holding a large lighted candle. After the chanting of the "Libera" and the usual prayers and invocations had been given, and the Archbishop, with the assistant priest, had walked twice around the catafalque, once asperging it with the holy water, and again waving over it the censer with burning incense and the prayer for the rest of the souls of all the lathful departed, the Archbishop and officating ciergy returned to the sacristy. The clergy then again lighted the tapers which they held in their hands. Bishop Bucon robed himself in amice, stoic, cope and mitre, and

THE FUNRBAL PROCESSION

was formed. The casket was litted from the catafalque and on to the shoulders of the Rev. Fathers Mooney (of Staten Island) and Dr. McKweeney (of Pooghkeepsie), and was borne slowly along the centre aisle, preceded by the Bishop, hanked by the pallbearers, John Kelly, John McKeon, P. Dolan, M. O'Keefe, Dines Carolin, P. Hagan, J. McKhiley and T. O'Donohue, and iollowed by the clergy in double file, bearing lighted tapers and chanting the "De Profundia." Out into the street and into the vanit underneath the church the soluminating the "De Profundia." Out into the street and such the last sai words of the Fitual, the

Scenes Outside the Church. Crowds of eager and anxious-looking visitors were gathered around the walls of the Cathedral cemetery, and lined the sidewalks of Prince, Mul-As a matter of necessity the police were on hand very soon afterwards to prevent any ingress to the Cathedral by those who had not procured admission tickets the day previous. Ten of twelve policemen were placed at each crossing around the block, and they did their duty, if not too strictly, at least effectually. Tickets had been issued to over two thousand five hundred persons on Sunday, and this number being sufficient to crowd every available place in the church, bution of them on yesterday morning, the natural consequence of which was a continual congregat-

ground extended, were cleared by the police offi-cers at half-past nine o'clock A. M., and there was it Was" in 1848.

no further possibility of entering the church unless by parties provided with tickets.

This caused much evident pain to numbers, of whom many were most respectable looking. But they had, nevertheless, to be satisfied, and, although the frosty air of the morning was piereingly cold, waited outside patiently to the last. Clergymen had sometimes great difficulty in passing through, especially those who wore their beards, such as the priests of the Benedictine and Franciscan orders, on whose countenances the guards of the peace failed to detect any semblance of sacerdotal importance. By ten o'clock the whole number of persons provided with tickets had entered the church and crowded it to overflowing. The gates were then closed and policemen placed at the entrances. At this time a multitude of persons were admitted through Mott and Mulberry streets. Some lingered around the walls of the cemetry or clung to the iron palings in front and rear of the Cathedral. Others, deeming it a favorable opportunity, ran to the pastoral residence in expectation of procuring tickets, but were sadly disappointed, for all the priests had just left, and this was another stroke of wearying repulsion.

The priests left the pastoral residence in double

residence in expectation of procuring treates, out were sailly disappointed, for all the priests had just left, and this was another stroke of wearying repulsion.

The priests left the pastoral residence in double file, robed in cassocks and surplices, and, having only to cross the street, were soon hid from view in the recesses of the Cathedral sisies and sanctuary. As soon as the first loud tones of the organ came rolling out upon the frosty air each outsider mattered to his or her neighbor that the requiem services had commenced and that there was no use now in trying any further. For two long hours, however, the crowded lines of people lingered around the church, determined to see at least the last remains of "Father Starrs" entombed in the Cathedral vault. Each part of the mass was counted and marked with the utmost anxiety by the female portion of the disappointed as they rolled their shawls more closely around them, and kept tightly packed together in a state of compassionate expectancy, chaitering away among themselves, sometimes on the state of the weather—for they must have felt it bitterly—but generally on the virtues, the goodness and the benevolence of the departed priest. "If they could only get one fine look at him before he was put down under the ground forever and ever," The men also, who had to remain, did so very patiently and without much murmuring.

At ten minutes to tweive o'clock the procession was seen from the streets moving out of the church into the open space in front of the Cathedral. The crowds then rushed to the railings and climbed the wails. The open windows of the houses on the opposite side of the street were crowded with heads peering down upon the multitude. The codin was at last seen borne upon the shoulders of six strong venerable looking priests, while the solemn tones of the "De Proluntis" were heard being chanted by the choristers. The massive iron cover of the vault was then taken up by the pailbearers, and after the final prayers were recited the remains of the good a

PORT DEPOSIT.

Subsiding of the Water from the Streets of the Town-Not in Immediate Danger of Being Swept Away-A Grand and Awful beene on the River.

PORT DEPOSIT, Md., Feb. 10, 1873. Port Deposit is not in any immediate danger, the sensational despatches of the past few days to the contrary not withstanding. The ice gorge remains just as tight as it did two weeks ago, and there is that time. The ice is in places piled up to a great height, but the streets are free from water. It is reported that the river has risen at Columbia five feet. The water was forced back into Octorara Creek, five miles above here, to-day, and the rolling mill at Rowlandsville was forced to stop work. The water that came into this place yesterday was but three or four feet in depth and quickly subsided. It seems to be the impression of the inhabitants that nothing but a long-continued rain or thaw will cause this place further damage, and I can well believe that the ice gorge will remain all Winter. It is pited up solidly in front of Port Deposit and as far as the eye car reach up and down the river. In some places it is over twenty feet in height above the usual water

A GRAND SPECTACLE. The scene is desolate indeed, and were it not for the possibility of future damage it might be considered magnificent. But as it is, it is terrible in its reality. Large pieces of timber that have been caught in the crushing ice remain standing on end, as they were left when the ice stopped moving, and there are thousands of bits of lumber and shingles scattered broadcast over the icy ruin. In this despatch, the ice is piled up twelve feet high, and thirty-five feet from the building it is forty feet in depth. All the wharves are still covered with ice, and the railroad track above

THE DEPOT IS STILL SUBMERGED. and all the back yards of the houses in this immediate neighborhood are submerged. It is estimated that the damage already done will reach \$100,000. Various plans have been suggested to get rid of the gorge, and the New York press generally has asked why nothing is done? If your readers could be here and see with their own eyes the reality they would certainly see the futility of attempting to force the ice off. The gorge extends from Watson's Island, near Havre de Grace, to Rowlandsville, a distance of nine miles. The ice is absolutely solid, and in some piaces fifty feet thick. This is no fancy picture, but an absolute fact. Below the gorge there is new-made ice six inches in thickness, extending out into Chesapeake Bay.

WINY POWDER WOULD BE USELESS.

Suppose the gorge was loosened at its lower end by blasting with powder, or dualine or nitro-glycerine, where would it go? If there were no lee below the gorge there is not enough water in the river to move the ice off. The foundation of all damage to arise to this place is in a sudden rise above this point. The water, having no natural outlet by reason of the gorge, seeks and finds one along the banks. Fort Deposit, being situated at the base of Granite Hills, is one of the first piaces to suffer. There is no immediate danger to Port Deposit. that the damage already done will reach \$100,000.

MUSICAL AND DRAMATIC NOTES.

Fifty-one new operas were produced in Italy in 1872. Out of these forty-nine were failures.

The "Heathen Chinee," with Mr. O. B. Collins as Long Tom, the miner, was produced at the Bowery Theatre last night.

When Mr. Boucleault returns to Booth's Theatre

in March he will produce his new play, "Daddy O'Dowd."

founded upon M. Sardou's famous "Rabagas," has been duly licensed by the Lord Chamberlain. The testimonial benefit at the Boston Theatre, in behalf of the veteran actor and manager, Thomas Barry, on Saturday last, realized over four thou-

sand dollars.

Pittston, Pa., is happy in the "legitimate drama." A strolling company is playing "Douglas" in that village, and, though nobody ever heard of the performers before, they represent themselves as from Wallack's and other leading theatres, and print

ogus encomiums from many newspapers. The variety theatres this week present unusually strong bills. Sophia and Irene Worrell, in "Black-Eyed Susan," are among the attractions at the Atheneum; Dan Bryant's presents a burlesque of "Julius Cæsar;" the San Francisco Minstrels, in addition to their "Entertainment à la Salon," play a burlesque in which Lucca is the victim, and

the Theatre Comique has the Majiltons.

At Mrs. Conway's Brooklyn Theatre, Westland Marston's comedy, "Dians, or Love's Masque," was played last evening. The play was performed favor, it is now placed for at least the remainder of the present week. It is finely "set," and its perrmance is marred only by the weak acting of Mr.

The members of the Union Square Theatre company not at present engaged there occupied the boards of the Park Theatre, Brooklyn, last night, and will remain there through the week. They are aided by Mr. Crisp, from the Fifth Avenue Theatre, whoplays the character of Caleb Deecye, the blind organist, in the slightly-constructed comedy of "The Two Roses." Mr. Crisp's performance last night and that of Miss Jennie Lee as Lotta Grant were good, and the performances of the other actors en-gaged did not contrast unfavorably with them.

A classic performance at Wood's Museum last evening was the representation of the comedy of "Sam," with the American favorite, Mr. by a very fair cast. The character thus assumed embodies a great many fine points, which thoroughly appreciated by an intelligent as well as numerous audience. "Sam" continues his levees during this week and on Saturday afternoon. Next Monday Mr. Chanfrau will appear in his original character of Mose, in "New York as

HORACE GREELEY'S WILL

A Westchester Surrogate Pronounces the Good Old Philosopher to Have Been Insane.

The Will of 1871 Admitted to Probate and the Will of 1872 Thrown-End of the Disgraceful and Cruel Contest.

The long-contested Greeley will case has at last been disposed of in what may be called an unexpected, if not very summary fashion. Surrogate Coffin, of Westchester county, yesterday, in the Court House at White Plains, gave his written report to the reporters to be copied, and it is given below verbatim. It reads very like an essay on the law of Surrogate, and the Surrogate takes it upon himself to pronounce Horace Greeley to have been insane and totally unfit to make a will. The will of 1871 is admitted to probate, and gives \$10,000 to the Children's Aid Society, \$2,000 to a lady in Mr. Greeley's family, and a farm in Pennsylvania to William Barnes Greeley, a brother of deceased, besides some miscellaneous legacies. The rest of the property is divided equally between Ida and Gabrielle Greeley. The vanity of human greatness and publicity could have no better proof than the fact that there was not a single soul in the Court yesterday to hear the opinion of the Surrogate read excepting the two reporters and the County Clerk, and so the reading was dis pensed with.

pensed with.

Westchester County-Surrogate's Court.—In the Matter of Proving the Last Will and Testament of Horace Greeley, Decensed.—Robert S. Hart for Ida L. Greeley, proponent of the will of November S. 1872. George F. Nelson and Jessey. Greeley, intant heir-at-law and an extension of the Williams for contestants and proponent of the will of January 9, 1871.

On the alleged will of 1872 being presented for probate, Messra. Samuel Sinclair, Charles Storrs and Richard H. Manning, being the executors named in an earlier alleged will of the decedent, bearing date January 9, 1871, appeared and proponended the latter will, and claimed that the will of 1872.

WAS VOID FOR LACK OF TESTAMENTARY CAPACITY.

the will of 1872 was void for Lack of restamentary capacity. The cases thus became consolidated, and the question to be determined was, which was the last will and testament. The proponent of the last will and testament of the subscribing witnesses to that will to be examined and made out a prima face case for its establishment. The contestants then proceeded with evidence tending to show that the decedent was not at the time of its execution

iending to show that the decedent was not at the time of its execution

CAPARLE OF MARING A WILL,

by reason of unsoundness of mind.

At an early stage in the progress of the case and after releases had been executed by all of the legatees and devisees named in the will of 1871, save the children of the deceased and the Children's Ad Society, and after Miss Greeley had executed and delivered to her younger sister a conveyance of one equal half part of all the property claimed to have been disposed of by the will of 1872, the counsel of Miss Greeley and those of her sister objected that the contestants of the latter will had no longer any status in Court and no right to contest the same. In this, I think, they were wrong. Our statutes (3, R. S., 5th Ed.), 1816, provides that the executor, devisee on legatee named in any last will, of any person in the estate, may have the will proved. Any interest, however slight and queer it seems, the bare possibility of an interest is sufficient to cutile the party to oppose a testamentary paper. (Williams on Executors, 284: Dayton's Surrogate, 186 and 193). The executors maned in the will of 1871.

HATE CLEARLY BY STATOTH AN EXPRESS BURD.

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HAYM CLEARLY BY STATUTE AN EXPRESS RIGHT to have that will proved if they can establish the fact that it is the last will, and they may rightfully contend against the validity of any alleged subsequent will as an obstacle in the way of establishing the will under which they claim. Their interest in this re-

to have that will proved if they can establish the fact that it is the last will, and they may rightfully contend against the validity of any alleged subsequent will as grainst the validity of any alleged subsequent will as grainst the validity of any alleged subsequent will as grainst the validity of any alleged subsequent will as grainst the validity of any alleged subsequent will as grainst the validity of the property of the content of the content

(1b. 365, \$ 15, pl. 4.)

It will be seen that the language of these provisions is imperative, and that the inscrepancy of these provisions is supported by the seen of the see witherawn, but must remain, as part of the records and files of his onice, and a decree must be made. It would, however, be competent for all parties, being aduits, in such a case, at any stage of the proceedings, to enter into a stipulation, to be entered on the minutes. to authorize the Court to make a decree in pursuance of the terms of the stipulation. But here this difficulty in regard to any such adjustment is encountered; an imant is a party to these proceedings, and neither his guardian ad litem or his counsel can make any admissions affecting uniavorably the interests of the infant. This is a well established rule.—(James vs. James, 4 Paige, 165; Buckley vs. Van Rove, &c., 5 th., 535; Stephenson vs. Stephenson, 6 th., 337, and in the case of bloore vs. Moore, 4 Sandrord, ch. 37, the Vice Chancellor ordered the testimony of an infant taken in the cause under the objection of his guardian ad litem to be stricken out.) Perhaps the turthest the Courts have gone in sanctioning the act of the guardian ad litem in declining a contest in relation to the infants rights is the case of Levy vs. Levy, 3 Mad. Rep., 245; but that case clearly has no application here. All these cases, as well as all elementary works on the subject, indicate

dual as mean to be strained out.) For may the further the Courts have gone in sanctioning the act of the curricular rights is the case of Levy vs. Levy, 3 Mad. Rep., 26; but that case clearly has no application here. All these cases, as well as all elementary works on the subject, indicate

with which all Courts guard and protect the rights of those whom the law con-lifers as meapable of managing their own affairs. The consent, if such it may be considered, of the course for the proponent speaking for both children to allow the will of 1871 to be admitted to probate would be tantamount to an admission that the paper darked in the content of the course of the course

by Mr. Stnart if he would have him, who was one of his nost intimate triends, as one of the witnesses, he said "No," at which Mr. Stnart was so evidently astonished that he repeated the question by asking witness it?" and the response was again "No." I attach very slight importance to the incident of the handshaking with Mr. Keid, while all of these circumstances may be consistent with the soundness of a mind-therefore sane. They certainly, it sigkes me, are not inconsistent with the continued unsoundness, where it has been once clearly established. The onus was upon the proponent for remoyer any doubts upon the subject, were it practicable so to do.

The above scene, as the evidence shows, occurred

able so to do.

The above scene, as the evidence shows occurred about an hour before the dissolution of the decedent. There is no evidence as to where this will was written or as to the attendant circumstances or as to where it was found, or that the decedent had any agency whatever in its production for formal execution, and I am not permitted

the evidence of Dr. Choate, the professional expert under whose care and in whose house the patient was for nine days immediately prior to hisdeath, and who was in the house at the time of the so-called execution of the alleged will.

Under the peculiar facts of the case, had the parties all been of age, the intendment would in consequence have been strongly against the proposant. On the other

Under the peculiar facts of the case, had the parties all been of age, the intendment would in consequence lave been strongly against the proponant. On the other laws been strongly against the proponant. On the other laws the proposal strongly against the strongly against the strongly age. Soundness and perfectness of mind are been age. Soundness and perfectness of mind are strongly and the party alleging a restoration to sanity must prove his allegation. (Grobell vs. Barr, 5 Barr, 441.) With respect to persons of unsound mind having lucid intervals, it is sufficient if the evidence adduced in support of the will shall establish that the party afflicted had intermissions, and that there of the act; but the order of proof and presumption is thereby inverted, for where insanity is established, then the party who would take advantage of the act, and during an interval of reason, must prove such act to have been so done. (Cartwright vs. Cartwright, I Phellim, 29.) In this instance we have the general insanity of the decedent established, and no sufficient proof that at the time of the factual there was an interval of reason. Applying the above principles to this state of facts, it follows that the will of IS7 may be an interval of reason, while the party will of Is7 having been duly proven, must therefore be admitted as the last will and tesament of Horace Greeley.

A MYSTERIOUS CRAFT.

Have the Spaniards Purchased the Steamer Flerida for a Gunboat?

Report that the Chickamauga is To Be Destroyed.

The well known steamer the Florida (formerly the Penguin), which was seized by the United States authorities for an alleged breach of the Neutrality laws at Greenpoint, L. I., with a full cargo of rifles. Gatling guns and munitions of war of all lescriptions, on the 10th of August, 1870, was brought over to the foot of Wall street last evening towards dusk from the Atlantic docks, Brooklyn, where she has been lying for some time. At the time of her capture she was about clearing for Vera Cruz, in Mexico. The capture was effected by the United States steamer Catalpa, on which were a squad of marines. The crew of the steamer then made the lines of the Florida loose and towed her to the Navy Yard, where she was placed UNDER THE LOADED GUNS

of the Vermont and Guerriere at the ordnance wharf.

1871, she was released by order of Judge Blatch ford, upon the proviso that her cargo should be discharged, which was accordingly done. HER ILLEGAL DEFENTION AND CAPTURE.

Judge Blatchford subsequently in the United States Court refused to grant a certificate of "probable cause" to the United States District Attorney, on account of the perjury of several of the witnesses in the case, and also, as the principal one, who had made an affidavit that the steamer and her cargo were intended for the use of the Cuban insurgents, was not forthcoming. A suit for damages was then commenced against the United States government for the illegal detention of the vessel, and which is now pending.
On the 11th of January, 1871, she sailed for Hali-

fax. Nova Scotia, and St. Thomas, at which latter port she arrived on the 22d of April in quest of a purchaser. Shortly after her arrival at St. Thomas three Spanish men-of-war were despatched from Porto Rico-distant about six hours by steam-to prevent her exit from the port. The vessels two gunboats, and were named the Vasco Nunez placed alongside of her in the harbor watching her day and night, to detect the first movement indicating that she was about to leave. During the hurricane of August 22, 1871, she was totally dismasted, and had to have new spars pu on her. Before the repairs were completed aded by three Spanish vessels, but finally escaped on the 14th of December, pursued by the Spaniards. Owing to the tempestuous weather she was obliged to put into Nassau for repairs. stormy passage the Florida arrived in New York on Pebruary 3, 1872, and remained at the Atlantic dock until yesterday, when she was brought over, as before stated, to the foot of Wall street.

A VISIT ON BOARD. Yesterday evening a HERALD reporter went on

board and saw the shipkeeper, when the following conversation took place:—
REPORTER—I hear this steamer has been bought

by the Spaniards. SHIPKEEPER-Sorry I can give you no informa tion, sir. I really know nothing whatever on the

subject. I am merely here in charge of her while she is being repaired.

HER DESCRIPTION AND HISTORY. She is of 514 tons burden, but is capable of carry ing 600 tons of carge. Her length is 160 feet, her breadth of beam 30 feet and her depth of hold 17 ing 600 tons of cargo. Her length is 160 feet, her breath of beam 30 feet and her depth of hold 17 feet. Her engines are remarkably powerful, of Ericeson's patent, with two cylinders of 48-inch diameter, and 24-inch stroke of piston. She has two decks, with spacious cabin accommodation. Her lines are very one, indicative of great speed. She is brig-rigged and built of wood. The Florida was built for the Providence and New York Steamship line at Mystic, Conn., in 1859. At the breaking out of the war sne was sold to the government for a guaboat, and rendered good service along the coast, and particularly in the Gulf of Mexico, where, under the command of Captain Reed, she captured many blockade runners. On her deck is a handsome steam launch.

HAVE THE SPANIARDS BOUGHT HER?

It is reported that her bill of sale has been made in blank, and that the names of her true owners have yet to be inserted. Considerable interest is attached to this vessel, and some time will probably elapse before it is known what colors she will fly. The price paid for her has not transpired, but in all probability it is a high one. It was reported last night that she is to be taken to Mr. Delamater's shipbuilding yard to be fitted up with the ex-Confederate privateer Chickmanuga, as a guntooat, to reinforce the crippled "mosquito fleet."

A STARTING RUMON.

It was reported in Cuban circles yesterday that several Cubans have resolved to set fire to the Spanish war vessel now being equipped at the yard of Mr. Delamater, at Fliteenth street and North River, by means of torpedoes. The rumor is given for what it is worth.

Letter of the Vice President Elect to the Governor of Massachusetts-A New Election Ordered to Fill the Vacancy.

Boston, Feb. 10, 1873.
In the Senate this afternoon a message was received from the Governor, presenting the following communication from Hon. Henry Wilson :-

received from the Governor, presenting the following communication from Hon. Henry Wilson:—

THE SENATOR'S RESIGNATION.

NATICK, Mass., Feb. 8, 1873.

SIR—I resign my seat in the Senate of the United States, to take effect at the close of the Forty-second Congress, on the 3d of March next. In tendering this resignation to enter upon the duties assigned me by the suffrages of the nation, I desire to express to the people of Massachusetts my grateful thanks for their generous confidence and support. Four times, and for a period of more than twenty-two years, they have commissioned me to represent them in the Senate of the United States. The eighteen years I have served them have been eventful and of his toric significance: grave responsibilities and high duties have rested upon me. Mindful of imperiections I yet feel in retiring conscious that I have sincerely striven to be devoted to the interests of the whole people of the Common wealth, faithful to my country and true to the equal lights of my countrymen of every race. I arz, very respectfully, your obedient servant,
To His Excellency William B. Washburne, Governor of Massachusetts.

Mr. Harmon, of Essex, offered an order that Tuesday, March II, at half-past two O'clock, be assigned for filling the vacancy. Considerable discussion arrose on the question whether an election could not be held before that, the constitution providing for an election after a vacancy occurs. Finally the order was adopted.

THE STATE CAPITAL.

The City Charter Bill To Be Reported on Wednesday.

No New Developments Relative to Changes.

Private Asylums-Bidding at Auction Sales-A Chamber of Commerce Memorial-Remonstrance from Fifth Avenue Residents.

ALBANY, Feb. 10-Evening. As usual on Monday evenings there was not a quorum in either House to-night at the reassembling of the Legislature, and "general order" had everything to himself. By Wednesday, however, as the charter will be reported on that day, all the members will be on hand, provided the weather is fine and the do not make up their minds to change the now settled course of events. It will be remembered that last week, after the Joint Committees on Cities had got through with their so-called consideration of proposed some ten days ago, that a sub-committee consisting of two republicans—Opdyke and Patter-son—and one democratic—Dering—was appointed to so fix up the Charter bill as to make it read properly-in other words, to make all the verbal amendments necessary to make it from the first to the last section consistent with the amendments engrafted into it by the two committees. THIS SUB-COMMITTEE

was not empowered to make any other than verbal changes in the act, which fact may look surprising to some people who were foolish enough to bold the statement made the other day by one of the metropolitan journals that they were authorized to draw up a new charter. The trio did not hold a meeting on Saturday, the home enjoyments of the recess having of course prevented them rom doing that very thing which they were expected to do during the recess. They have got together this evening, however, and, it they can stand the pressure, will stay up all to-night and work all day to-morrow, until they make the thing read well. Opdyke is a neavy weight in syntax; Patterson, they say, is an authority on punctuation, particularly commas and semicolons, and Deering was apharly commas and semicolons, and Deering was appointed on no other ground than because he cam
act as an unfailing umpire whenever his two associates get mixed on "incidental phrases," the value
of conjunctions and the necessity of nominative
cases not running rict with verbs and pronouns
generally. So the bin will, no doubt, be a pretty
lair composition when they get through with it,
Wednesday seems to be the day generally fixed
upon when the two Committees on Cities will get
it from this sub-committee on grammar and report
it, and

It from this sub-committee on grammar and report
it, and
THURSDAY, IN ALL PROBABILITY, THE FUN WILL
in the Assembly. Although the sub-committee, as
was said before, have no power to make anything
but verbal amendments to the bill, yet it is almost
certain that the question of the appointing powen
will be settled before it is reported to
either house in the full Committee on
Clites of both houses (each committee)
acting without concert). There is no reason as yet
for doubting that the question will be left just
where the Custom House I aders have already decided it should be left—namely, with the Mayor and
the Board of Aldermen, the Mayor, at the end
of a twenty days disagreement on appointments, conferring with the Board. Board.
There are those who believe that a compromise,
can yet be made to give the Mayor more than as
figure-head show in this particular portion of the
bill; but the leaders have seemingly set their foot
down. Their decision to throw Green overboard
has satisfied the discontented among the faithful
who based their cry of "partial" legislation on his
being retained more than anything else, and so

TILDEN, KELLY, HAVEMEYER AND THE REST
of the new reform democratic cotere in New York,
have very little reason to hope for a different resuit than a complete crushing of their ambition to
rule the roast, with the aid and good graces of
the present Chief Magistrate of the city.
An effort, I understand, is to be made
to-morrow by certain potential iriends of Mr.
Havemeyer, who claim to belong to no particular
party, to induce the magnates to "let up" on the
old man, and they will argue, with the Mayor's
speech to John Cochrane's liberal republicans in one hand and an engrossed copy
of his "past record" in the other, to
show that he ought not to be snubbed. But they,
too, will have to go home, it is feared, singing,
"Thou art so near and yet so far;" and even then,
with trembling lips and hearts cast down because
certain people in All-any will persist in doing Just
as they please, no matter what THURSDAY, IN ALL PROBABILITY, THE FUN WILL

as they please, no matter what
special restricts AMBASSADORS
want or sigh for. It may not have anything to do
with the matter, but I may just here mention that
George Bliss, Jr., dropped in upon us yesterday, as
if from the clouds, and suddenly disappeared again
this afternoon on the New York train. His
friends say that he didn't say charter,
once while he was here not even at friends say that he didn't say charter, once while he was here, not even at church: but then he left a letter for a puissant gentleman here who may not look! upon it simply as a good-by. The letter was a voluminous one, and, doubtiess, contains many, legal points in some case in the courts in which Mr. Lafin and Mr. Murphy and a lew other good republicans had a hand in sharpening. It is only a step from the Court House to the Capitol, you know.

The bill in relation to private asylums for the insane, introduced by Mr. Husted, was considered in Committee of the Whole this evening, and progressed at bis request so as to allow members an opportunity to study its merits thoroughly.

The following is the bill relating to FRAUDULENT BIDDING AT AUCTION SALES, that was ordered to a third reading in the Assembly this evening:—

As Act to prevent fraudulent and actitious bidding at

As Act to prevent fraudulent and fictitious bidding at As Act to prevent fraudulent and fictitious hidding at anction sales.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:—

Secrico I.—At any suction sale of real estate, stocks or bonds hereafter when the State of New York, it shall be unlawful for the anctioned when you owners of owners offering any real estate, stocks or conjunction of their order of advice, or under his or their behalf, or by his or sule, or for any person in his or their behalf, or by his or sule, or for any person or under his or their direction, or in collasion with them or either of them, to make any also, fraudulent or factitions bids thereon, with intent to the annual any purchaser thereof or any person bidding thereon.

Sec. 2.—Any person who shall violate and provision of the preceding section shall be deemed, guilty of a misdemeanor punishable by a fine not exceeding \$250 for each offence.

Sec. 3.—This act shall take effect immediately.

THE SENATE
met to-night with hardly a quorum and proceeded
at once to business.
A MEMORIAL WAS PRESENTED PROM THE CHAMBER

A MEMORIAL WAS PRESENTED PROM THE CHAMBER OF New York in favor of the repeal of the usury laws and for the removal of the tax on bonds and mortgages. The memorial presents the argument that the customs of business have overridden and rendered null the operations of the usury laws, and that their repeal is therefore necessary. It is accompanied by copies of similar memorials presented to previous Legislatures, findings of grant juries on the subject, extracts from the Governor's message, opinions of newspapers and other documents.

THE RESIDENTS OF FIFTH AVENUE ALSO PRESENTED A PETITION,

ments.
THE RESIDENTS OF FIFTH AVENUE ALSO PRESENTED A PETITION, or rather a remonstrance, against the laying of railroad tracks in Fifth avenue, below Twenty-third street, stating that that thoroughfare is at presont the only one running lengthwase through the city that has not been encroached upon by the iron rails; that transit up and down is already comparatively easy and will soon be quite rapid; that it is a street almost entirely of residences, and that much inconveniences to residents would ensue from the laying of double tracks thereon, particularly during the Winter time, when the railroad companies would bank the snow upon the sidewalks, rendering it impossible, or at least inconvenient, for carriages to reach their doors, and also depriving ettacen their doors, and also depriving the monstrance is signed by some of the wealthiest men on the avenue, among them John Taylor Johnston, A. K. Wetmore, Henry R. Remsen, James Lenox, A. C. Kingsland, Robert L. Kennedy, Edwards Pierrepont, John J. Clisco, James Otis, Degraw Livingston, Robert L. Cutting, Moses Taylor and Gunning S. Bedford.

News of the

Memory of the Dearm of Eleaner Jones, member from the Second District of Washington county, reached here to-day. It was not announced in the house. Mr. Jones is the genticman who, in the republican Senatorial caucus, cast his yote for Rescoe Conkling, "in the name of the Weishmen of the State."

RAPID TRANSIT.

NEW YORK, Feb. 8, 1873.

New York, Feb. 8, 1873.

To the Editor of the Herald:—

I am not-opposed to rapid transit in this world but I am opposed, as are many others living in the vicinity of Fourth avenue and Ninety-second street, to a rapid transit to another world by being kept to a rapid transit to another world by being kept awake every night with the rumbling sounds of ten to fitten blasts three or four times during the night, and are much more severe than the earth-quakes of San Francisco, to some of us at any rate, and it is very injurious to our health. A no-tice in the Herald may stop this; if not, an in-

Junction will.

A SUBSCRIBER OF TWENTY-FIVE YEARS.